



**OFFICE OF
INSPECTOR GENERAL**
U.S. DEPARTMENT OF THE INTERIOR

VIA EMAIL

FEB 22 2012

Jason Smathers
MuckRock News
DEPT MR 1034
PO Box 55819
Boston, MA 02205-5819

Re: 12-FOI-00030

Dear Mr. Smathers:

This is in response to your letter dated January 20, 2012, which was referred by the Office of Government Ethics (OGE) to the Office of Inspector General (OIG) on February 15, 2012, in which you ask for information under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You ask for a copy of all OGE Form 202, "Notice of Conflict of Interest Referral Form" received in calendar year 2011.

Your request has been assigned OIG FOIA number 12-FOI-00030. Please use this number in all future correspondence concerning this matter. For purposes of this request, you have been categorized as a "news media requester." As such, you are charged fees for document duplication, except that the first 100 pages of paper copies (or the equivalent cost thereof if the records are in some other form) will be provided without charge. The OIG will not charge such requesters for document search and review.

In your letter, you also requested a fee waiver. However, you did not provide sufficient justification to qualify for a fee waiver under the Department of the Interior's (DOI) FOIA regulations, 43 C.F.R. Part 2, Appendix D. The statutory requirement for granting a fee waiver is that release of the information must be in the public interest because it—

1. Is likely to contribute significantly to public understanding of the operations and activities of the Government; and
2. Is not primarily in your commercial interest.

Because you did not provide sufficient justification, the OIG is denying your fee waiver request. The referred documents are less than 30 pages; therefore the OIG is providing these to you free of charge.

The OIG is required to use multi-track processing per 43 C.F.R. § 2.26. FOIA requests are placed in one of two tracks based on the amount of time needed to process the request: 1)

Simple (1 -5 workdays); and 2) Normal (20 workdays). Your request has been placed in the simple track.

The OIG is unable to respond to your request within the time limits established by the FOIA (20-workday period or 30 workdays if an extension is taken), due to a backlog of requests and other unforeseen circumstances. Please be assured, however, that your request is being handled as equitably as possible and that all documents that can be released will be made available at the earliest possible date. However, you may file an appeal for non-response any time after the statutory time limit for responding to your request has passed by writing the FOIA Appeals Officer, U.S. Department of the Interior, 1849 C Street, NW, MS-6556, Washington DC 20240. The FOIA Appeal Officer's facsimile number is 202-208-6677. Your appeal should be filed in accordance with the regulations set out in 43 C.F.R. §§ 2.28-2.32, a copy of which is enclosed.

Our office has relocated to Reston, Virginia. Please use the headquarters address for correspondence purposes:

Department of the Interior
Office of Inspector General
Freedom of Information Act Request
1849 C Street, NW
Mail Stop 4428
Washington, DC 20240

However, should you need to contact me, my telephone number is 703-487-5436, and the facsimile number is 703-487-5406.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sandra", enclosed within a circular scribble.

for Sandra Evans
OIG FOIA Officer

Enclosures (2)